

RECEIVED
CENTRAL FAX CENTERApplication Serial No. 10/537,846
Reply to final office action of January 11, 2010

MAR 09 2010

PATENT
Docket: CU-4245Remarks and Arguments

Reconsideration is respectfully requested.

Claims 1-10 are pending in the present application before this amendment. By the present amendment, claim 5 is canceled without prejudice and claims 1, 6, 7, and 10 are amended, where independent claims 1, 7, and 10 have been amended to include the allowable subject matter of cancelled claim 5. No new matter has been added.

Allowable Subject Matter

In the office action (page 7), the applicants thank the examiner for the indication of allowable subject matter with respect to claim 5, wherein the present application would be in condition for a Notice of Allowance if these claims were rewritten in independent form including all of the limitations of the base claim and any intervening claims. In order to invite issuance of the Notice of Allowance, the applicants have amended claims 1, 7, and 10 to include the allowable limitations of claim 5. The applicants have cancelled claim 5 without prejudice.

In the office action (page 2), claim 1 stands rejected under the doctrine of obviousness-type double patenting over claim 6 of the copending application no. 10/537,144 (Ericsson). The "et al." suffix is omitted from the Ericsson reference name. Also, in the office action (page 3), claim 7 stands rejected under the doctrine of obviousness-type double patenting over claim 1 of Ericsson. In response, a terminal disclaimer indicating "**prior copending application**" is submitted herewith, thereby overcoming the provisional rejection under the judicially created doctrine of obviousness-type double patenting. Withdrawal of the rejection is respectfully requested,

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where the applicants thank the examiner for noticing the language recited in the previous terminal disclaimer.

In the office action (page 3), claims 1-4 and 6-10 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Publication No. 2003/0118015 (Gunnarsson) in view of U.S. Publication No. 2002/0187780 (Souissi). The "et al." suffixes are omitted from the Gunnarsson and Souissi reference names.

The applicants respectfully disagree and submit that the claims, as they now stand, are in condition for allowance over the cited references.

Therefore, applicants respectfully submit that the above-described feature of claim 1 (and similarly claims 7 and 10) of the presently claimed invention is not taught, disclosed, or suggested by Gunnarsson and/or Souissi. Specifically, the references fail to disclose or suggest at least the following:

claim 1:

—wherein the location information of the wireless LAN AP comprises geographical location information of the wireless LAN AP and the radius of service information on the wireless LAN AP—.

Nowhere does Gunnarsson nor Souissi, neither alone or in combination, disclose or suggest this feature of amended claim 1, as stated by the examiner in the OA at page 7, where the allowable limitations of claim 5 has been incorporated into amended independent claims 1, 7, and 10.

Accordingly, Gunnarsson and/or Souissi fails to disclose or suggest the above limitations recited in amended claims 1, 7, and 10. Therefore, applicants respectfully submit that claims 1, 7, and 10 are in condition for allowance over the cited references

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and especially Gunnarsson and/or Souissi.

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As to claim 2-4, 6, and 8-9, the applicants respectfully submit that these claims are allowable at least since they depend from either allowable claim 1 or claim 7, which are now considered to be in condition for allowance for the reasons mentioned above for claim 1.

The applicants respectfully note on record that the amendment of claims herein should not be construed as an admission by the applicants that any of the cited prior art references teaches or discloses or suggests any of the claimed subject matter in the manner proposed by the examiner. In this regard, the applicants respectfully reserve all rights to present the subject matter of the claim 5 prior to amendment in a separate patent application continuing from this application or otherwise.

For the reasons set forth above, the applicants respectfully submit that claims 1-4 and 6-10, now pending in this application, are in condition for allowance over the cited references. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter. This amendment is considered to be responsive to all points raised in the office action.

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Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,

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